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PLEASE REPLY TO
ATLANTIC COUNTY OFFICE

June 6, 2018

The Honorable Magistrate Judge Ann Marie Donio
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets, Court Room: 3B
Camden, NJ 08101

Re: The Estate of Joey Myers and Carolyn K. Chaudry, as
Administrator Ad Prosequendum of the Estate of Joey Myers,
and in her own right v. The City of Millville, Chief Jody
Farabella, individually and his official capacity, Officer
Michael Calchi, Officer Gavin Phillips, Officer Jeffrey
Proffit, and John Doe Police Officers 1-10, individually and
in their official capacities
Docket Number: 17-cv-01411 JHR/AMD

Dear Magistrate Judge Donio:

On or about May 16, 2018, our office attended an initial
scheduling conference on the matter captioned above on behalf of
the Defendants. Conrad J. Benedetto appeared telephonically on
behalf of the Plaintiffs.

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June 6, 2018

The Honorable Magistrate Judge Ann Marie Donio
Atlantic County Superior Court

Re: The Estate of Joey Myers and Carolyn K. Chaudry, as Administrator Ad Prosequendum of the Estate of Joey Myers, and in her own right v. The City of Millville, Chief Jody Farabella, individually and his official capacity, Officer Michael Calchi, Officer Gavin Phillips, Officer Jeffrey Proffit, and John Doe Police Officers 1-10, individually and in their official capacities
Docket Number: 17-cv-01411 JHR/AMD

Attached is a Consent Order on the suggested limited scope of discovery signed by Connie Benedetto, Esquire for Plaintiff and Todd J. Gelfand for the Defendants.

Respectfully submitted

BARKER, GELFAND, JAMES & SARVAS
A Professional Corporation

By: s/Todd J. Gelfand
Todd J. Gelfand, Esquire

cc: Conrad J. Benedetto, Esquire
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Attorney for Plaintiff

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Attorney for Plaintiff

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Attorney for Defendants, The City of Millville, Chief of Police Jody Farabella, K-9 Officer Michael Calchi, Officer Gavin Phillips, and Officer Jeffrey Profit, Jointly, Severally, and in the Alternative

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY - CAMDEN

THE ESTATE OF JOEY MYERS AND CAROLYN
K CHAUDRY, AS ADMINISTRATOR AD
PROSEQUENDUM OF THE ESTATE OF JOEY
MYERS, AND IN HER OWN RIGHT,
Plaintiffs,

v.

CITY OF MILLVILLE;
CHIEF JODY FARABELLA, Individually
and in his official capacity;
OFFICER MICHAEL CALCHI;
OFFICER GAVIN PHILLIPS;
OFFICER JEFFREY PROFITT; and,
JOHN DOE POLICE OFFICERS 1-10,
Individually and in their official
capacities
Defendants.

Civil Action
17-cv-01411 (JHR/AMD)

CONSENT ORDER

On behalf of the Defendants,
The City of Millville, Chief of Police Jody Farabella, K-9
Officer Michael Calchi, Officer Gavin Phillips, and Officer
Jeffrey Profit

Jointly, Severally, and in the Alternative

This matter having been addressed on the record at an initial scheduling conference on May 16, 2018, Todd J. Gelfand appearing on behalf of the Defendants and Conrad J. Benedetto appearing telephonically on behalf of Plaintiff's, and the scope of discovery to be conducted in this matter having been suggested to be "limited" based on the comments of District Judge Joseph H. Rodriguez, as reflected in the transcript of oral argument conducted with respect to Defendants' motion to dismiss, said argument having been conducted on March 6, 2018; and for good cause shown.

IT IS this _____ day of _____ 2018 hereby

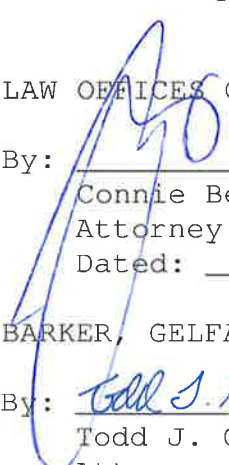
1. The conduct of discovery in this matter shall be initially limited as reflected by Judge Rodriguez's comments on the record on March 6, 2018, such that discovery shall be limited as reflected in the paragraph below and the conduct of discovery as set forth in the initial scheduling order to be entered by Magistrate Judge Donio per the initial conference on May 16, 2018, shall apply to the scope of discovery set forth below, so that discovery may be conducted on the limited basis set forth, after which Defendants shall re-file their motion for summary judgment, and should that motion NOT be granted disposing of this case in the entirety, then the matter shall be subject to such additional discovery as may be deemed appropriate at such time as the matter survives summary judgment; and

2. The discovery in this matter shall initially be limited in scope to depositions or other discovery methods directed at the defendant officers and or such other officers as may have been involved in the January 18, 2016 incident outlined in the Complaint in this matter as well as discovery relating to the training, certifications and re-certifications relating to K9 Officer Calchi and his police K9 Chase; as well as the Defendant shall provide in discovery, subject to a confidentiality order, such internal affairs files as exist prior to the January 18, 2016 matter in which the defendant officers in this case were the subject of any internal affairs complaint.

ANN MARIE DONIO
UNITED STATES MAGISTRATE JUDGE

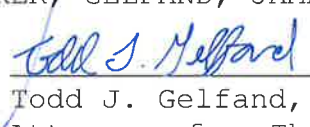
We hereby consent to the form, substance, and entry of the within Order.

LAW OFFICES OF CONRAD J. BENEDETTO

By: 

Connie Benedetto, Esquire
Attorney for Plaintiff
Dated: _____

BARKER, GELFAND, JAMES & SARVAS

By: 

Todd J. Gelfand, Esquire
Attorney for The City of Millville, Chief of Police Jody Farabella, K-9 Officer Michael Calchi, Officer Gavin Phillips, and Officer Jeffrey Profit, Jointly, Severally, and in the Alternative

Dated: 05.16.2018